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January 19, 2006

Len S. Anthony
Deputy General Counsel-Regulatory Affairs
Progress Energy Service Co., LLC
P.O. Box 1551, Raleigh, N.C. 27602-1551
Ph: 1 919 546 6367; Fax: 1 919 546 2694
Counsel for Progress Energy

Ref: Docket No. 2004-219-E

Subject: Request for Clarification of Petitioner's Claims

Dear Mr. Anthony:

In your letter to the Commission requesting withdrawal of your vindictive, frivolous and nuisance Petition to Terminate Service, you stated categorically that the conditions prompting the Petition no longer existed.

My request to the Commission for further elaboration on that comment was referred back to your Office. The validity and accuracy of the concocted allegations contained in your original complaint which you filed to cover up your repeated violations of Commission regulations, has yet to be established, notwithstanding the Commission's standard unquestioning compliant acceptance of your untrue allegations in the first place. This is necessary since I am prosecuting this case not only with the Commission, but further.

At no time has the Commission (and the ORS) ever investigated your unsubstantiated and untrue claims, but simply parrots your every statement in its Orders granting all your requests.

Accordingly, you are hereby requested to respond to the following:

Please state for the record, with specificity and particularity, exactly what conditions you claim have changed, in what period of time, that caused you to formally withdraw the said unwarranted Petition to Terminate Service that was incorrectly filed in the first place?

As Counsel for the Petitioner in this action, please promptly issue to the Commission with a copy to me, your notarized Affidavit, certifying under oath that the response statements are true, accurate, and factually correct, and if appropriate, that you have legal documents to support said statements.

Please issue certified true copies of the said legal documents to the Commission, with copies to me.

By copy of this demand, I am requesting the Commission to order you to comply herewith, in the event you refuse to comply as requested.

Time is of the essence; please comply with this demand within five (5) business days of your receipt hereof.

Yours truly,



Beatrice E. Weaver

V Cc: Mr. Charles L.A. Terreni
Chief Clerk/Administrator
S.C. Public Service Commission
P.O. Drawer 11649, Colombia S.C. 29211
Ph: 1803 896 5113; Fx: 1 803 896 5231

Confirmation copy for legal reference, with USPO Certificate of Mailing to Addressee.